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EXAMINER	
CHU, RANDOLPH I	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/691,215	STEFANUK, NANCY B.M.	
	Examiner	Art Unit	
	Randolph Chu	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/26/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 2/26/2004 has been considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 7,051,206 to Giest et al.

4. In regards to claim 1, Giest et al. discloses, sheet material (Fig. 5 ref. label 45); means defining at least one field of pre-printed information on the sheet material (Fig. 5 ref. label 92); and means for storing on the sheet material apriori reference image

quality data which is representative of at least one characteristic of the pre-printed information contained in the at least one field (Fig. 5 ref label 60, Fig. 6).

5. In regards to claim 3, Giest et al. discloses, a method of storing apriori reference image quality data which is representative of at least one characteristic of pre-printed information contained in at least one field of a check, the method comprising: storing the apriori reference image quality data on the check (Fig. 5 ref label 60, Fig. 6, col. 18 line 10 - col. 19 line 64).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 2 is rejected under 35 USC 103(a) as being unpatentable over Giest et al. (US Patent 7,051,206) in view of Rhoads et al. (US Patent Application 2002/0012443). Giest et al. discloses a sheet material; at least one data disposed on the sheet material; and means for storing on the sheet material apriori reference image quality data which is representative of at least one characteristic of the data (see rejection for claim 1).

Giest et al. does not disclose expressly that apriori reference image quality data which is representative of at least one characteristic of the encoded symbol.

Rhoads et al. teaches apriori reference image quality data (watermark) which is representative of at least one characteristic of the encoded symbol (digital object identifier) (Para. [0031] and [0032]).

Giest et al. and Rhoads et al. are analogous art because they are in the "same field of endeavor", data encoding.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to store on the sheet material apriori reference image quality data which is representative of at least one characteristic of the encoded symbol in the check of Giest et al.

The suggestion/motivation for doing so would have been that data is encoded into unique format of reference image so that can implement suitable software or hardware (Rhoads et al. Para. [0232])

Therefore, it would have been obvious to combine Rhoads et al. with Giest et al. to obtain the invention as specified in claim 2.

8. Claims 4 and 5 are rejected under 35 USC 103(a) as being unpatentable over Giest et al. (US Patent 7,051,206) in view of Sporer et al. (US Patent 6,584,152).

Giest et al. discloses all the limitations of claim 3, which claim 4 depends. Giest et al. also discloses limitation of claim 5 that apriori reference image quality data for

each field of pre-printed information includes data which is representative of content of the pre-printed information contained in the field (Fig. 5, Fig. 6 ref. label 64).

In regard claim 4, Giest et al. does not disclose expressly that wherein the stored apriori reference image quality data includes data which is representative of the number of fields.

Sporer et al. teaches the stored apriori reference image quality data (coded picture) includes data which is representative of the number of fields (col. 10 lines 16-34).

Giest et al. and Sporer et al. are analogous art because they are in the "same field of endeavor", data encoding.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to the store apriori reference image quality data includes data which is representative of the number of fields in the method of Giest et al.

The suggestion/motivation for doing so would have been that data is encoded into simple format of machine readable reference image so that can implement suitable software or hardware and including this data allows for easier reading of the data as this would allow the system to know how much data should readable.

Therefore, it would have been obvious to combine Sporer et al. with Giest et al. to obtain the invention as specified in claims 4 and 5.

9. Claim 6 is rejected under 35 USC 103(a) as being unpatentable over Giest et al. (US Patent 7,051,206) in view of Sugahara et al. (US Patent Application Publication 2006/0215876).

Giest et al. discloses all the limitations of claim 3 (See above), which claim 6 depends.

Giest et al. does not disclose expressly that wherein wherein the stored apriori reference image quality data for each field of pre-printed information includes data which is representative of type of print contained in the field.

Sugahara et al. teaches the stored apriori reference image quality data for each field of pre-printed information includes data which is representative of type of print contained in the field (Para. [0109]).

Giest et al. and Sugahara et al. are analogous art because they are in the "same field of endeavor", data encoding.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to the store apriori reference image quality data for each field of pre-printed information includes data which is representative of type of print contained in the field in the method of Giest et al.

The suggestion/motivation for doing so would have been that data is encoded into simple format of machine readable reference image so that can implement suitable software or hardware and including this type of data allows for easier reading of the type of data as this would allow the system to know how much data should readable.

Therefore, it would have been obvious to combine Sugahara et al. with Giest et al. to obtain the invention as specified in claim 6.

10. Claim 7 is rejected under 35 USC 103(a) as being unpatentable over Giest et al. (US Patent 7,051,206) in view of Hirayama (US Patent 6,009,194).

Giest et al. discloses all the limitations of claim 3 (See above), which claim 7 depends.

Giest et al. does not disclose expressly that wherein the stored apriori reference image quality data for each field of pre-printed information includes format data which is representative of format of the pre-printed information in the field.

Hirayama teaches the stored apriori reference image quality data for each field of pre-printed information includes format data which is representative of format of the pre-printed information in the field (col. 5 lines 34-42).

Giest et al. and Hirayama are analogous art because they are in the "same field of endeavor", data encoding.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to the store apriori reference image quality data for each field of pre-printed information includes format data which is representative of format of the pre-printed information in the field in the method of Giest et al.

The suggestion/motivation for doing so would have been that data is encoded into simple format of machine readable reference image so that can implement suitable software or hardware and including this format of data allows for easier reading of the format of data as this would allow the system to know how much data should readable.

Therefore, it would have been obvious to combine Hirayama with Giest et al. to obtain the invention as specified in claim 7.

11. Claim 8 is rejected under 35 USC 103(a) as being unpatentable over Giest et al. (US Patent 7,051,206) in view of Ito et al. (US Patent Application Publication 2001/0028476).

Giest et al. discloses all the limitations of claim 3 (See above), which claim 8 depends.

Giest et al. does not disclose expressly that wherein the stored apriori reference image quality data for each field of pre-printed information includes data which is representative of physical dimensions of the field.

Ito et al. teaches the apriori reference image quality data for each field of pre-printed information includes data which is representative of physical dimensions of the field (Para. [0031]).

Giest et al. and Ito et al. are analogous art because they are in the "same field of endeavor", data encoding.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to the store apriori reference image quality data for each field of pre-printed information includes data which is representative of physical dimensions of the field in the method of Giest et al.

The suggestion/motivation for doing so would have been that data is encoded into simple format of machine readable reference image so that can implement suitable software or hardware and including this size of data allows for easier reading of the size of data as this would allow the system to know how much data should readable.

Therefore, it would have been obvious to combine Ito et al. with Giest et al. to obtain the invention as specified in claim 8.

12. Claim 9 is rejected under 35 USC 103(a) as being unpatentable over Giest et al. (US Patent 7,051,206) in view of Ishibashi et al. (US Patent 6,606,396).

Giest et al. discloses all the limitations of claim 3 (See above), which claim 9 depends.

Giest et al. does not disclose expressly that wherein the stored apriori reference image quality data for each field of pre-printed information includes data which is representative of location of the field.

Ishibashi et al. teaches the apriori reference image quality data for each field of pre-printed information includes data which is representative of location of the field (col. 4 lines 16-33).

Giest et al. and Ishibashi et al. are analogous art because they are in the "same field of endeavor", data encoding.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to the store apriori reference image quality data for each field of pre-printed information includes data which is representative of location of the field in the method of Giest et al.

The suggestion/motivation for doing so would have been that data is encoded into simple format of machine readable reference image so that can implement suitable software or hardware and including this location of data allows for easier reading of the location of data as this would allow the system to know how much data should readable.

Therefore, it would have been obvious to combine Ishibashi et al. with Giest et al. to obtain the invention as specified in claim 9.

13. Claim 10 is rejected under 35 USC 103(a) as being unpatentable over Giest et al. (US Patent 7,051,206) in view of Rhoads et al. (US Patent Application 2002/0012443).

Giest et al. discloses A method of storing apriori reference image quality data which is representative of at least one characteristic of at least one information disposed on a check, the method comprising: storing the apriori reference image quality data which is representative of the at least one characteristic of the information on the check. (see rejection for claim 3).

Giest et al. does not disclose expressly that apriori reference image quality data which is representative of at least one characteristic of the encoded symbol.

Rhoads et al. teaches apriori reference image quality data (watermark) which is representative of at least one characteristic of the encoded symbol (digital object identifier) (Para. [0031] and [0032]).

Giest et al. and Rhoads et al. are analogous art because they are in the "same field of endeavor", data encoding.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to storing on the sheet material apriori reference image quality data which is representative of at least one characteristic of the encoded symbol in the method of Giest et al.

The suggestion/motivation for doing so would have been that data is encoded into unique format of reference image so that can implement suitable software or hardware (Rhoads et al. Para. [0232])

Therefore, it would have been obvious to combine Rhoads et al. with Giest et al. to obtain the invention as specified in claim 10.

14. Claims 11 and 12 are rejected under 35 USC 103(a) as being unpatentable over Stolfo (US Patent 5,748,780) in view of Giest et al. (US Patent 7,051,206).

As to claim 11, Stolfo discloses a method of processing a check, the method comprising the steps of: storing apriori data which is representative of certain features of the check (Figure 2 item 4 & 16, Note the examiner interprets the feature of the check to be the background and foreground. Col. 10, lines 34-40, Stolfo teaches creating a database of records features.); receiving image data which is representative of the image of the financial document (Figure 1 item 1); retrieving the stored apriori reference quality data (Figure 1, i.e. system scans the check in item 1, and then compares it the database information in item 3, which is interpreted as retrieving the stored data of the check image. Col. 11, lines 15-49, Stolfo discloses retrieving background information of the check associated with the code.); and comparing the retrieved apriori reference image quality data with the image data which is representative of the image of the financial document (Figure 4 item 80 & 84, i.e. the signature on the check is being compared against image database. Col. 12, lines 1-10, Stolfo disclose comparing the retrieved background with the scanned image.); providing an indication of quality of the

image of the financial document based upon the comparison of the apriori reference quality data with the image data (Figure 2 item 22, i.e. note a check can be rejected because of the error. The rejection of the check will occur when there is inconsistent information in the memo field, signature, data information, or amount of the check. The verification is interpreted as determining the quality of the check).

As to claim 12, Stolfo discloses the at least one characteristic of the financial document includes a characteristic of the pre-printed information contained in at least one field of the financial document (Fig. 3).

As to claim 11, Stolfo does not discloses storing on the financial document apriori reference image quality data which is representative of at least one characteristic of the financial document;

Giest et al. discloses storing on the financial document apriori reference image quality data which is representative of at least one characteristic of the financial document (Fig. 5 ref label 60, Fig. 6, col. 18 line 10 - col. 19 line 64);
Stolfo and Giest et al. are analogous art because they are in the "same field of endeavor", authentication of financial document.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to storing on the sheet material apriori reference image quality data which is representative of at least one characteristic of the financial document in the method of Stolfo.

The suggestion/motivation for doing so would have been that data is encoded into simple format of reference image so that does not require the use of numerous expensive encryption device (Giest et al. col. 2 lines 1-4).

Therefore, it would have been obvious to combine Giest et al. with Stolfo to obtain the invention as specified in claim 11.

15. Claim 13 is rejected under 35 USC 103(a) as being unpatentable over Stolfo (US Patent 5,748,780) in view of Giest et al. (US Patent 7,051,206) and in further view of Rhoads et al. (US Patent Application 2002/0012443).
Stolfo in view of Giest et al. discloses all the limitations of claim 11 which claim 13 depends.

Stolfo in view of Giest et al. does not disclose at least one characteristic of the financial document includes a characteristic of at least one encoded symbol on the financial document.

Rhoads et al. teaches apriori reference image quality data (watermark) which is representative of at least one characteristic of the encoded symbol (digital object identifier) (Para. [0031] and [0032]).

Giest et al., Stolfo and Rhoads et al. are analogous art because they are in the "same field of endeavor", data encoding.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to storing on the sheet material apriori reference image quality data which

is representative of at least one characteristic of the encoded symbol in the method of Giest et al.

The suggestion/motivation for doing so would have been that data is encoded into unique format of reference image so that can implement suitable software or hardware (Rhoads et al. Para. [0232])

Therefore, it would have been obvious to combine Rhoads et al. and Stolfo with Giest et al. to obtain the invention as specified in claim 13.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randolph Chu whose telephone number is 571-270-1145. The examiner can normally be reached on Monday to Thursday from 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 571-272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RIC/

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SUPERVISORY PATENT EXAMINER